

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN**

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**ANNE L. MEDLEY,**

Plaintiff,

v.

**Case No. 16-CV-1712**

**HOUSING AUTHORITY OF  
CITY OF MILWAUKEE WI and**

**SHARONNE Y. FRIER,**

Defendants.

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**RECOMMENDATION TO DISMISS DEFENDANT**

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On December 28, 2016, Anne L. Medley filed this action without the assistance of counsel, naming “Housing Authority of City of Milwaukee WI and Staff” as defendants. *See* Complaint, ECF No. 1. The Complaint lists “Sharonne Y. Frier” as the Housing Authority staff member. Compl. p. 2. The Housing Authority has appeared in this action, but there is no evidence that Ms. Frier has been served with a copy of the Summons and Complaint.

On June 26, 2017, the Court issued a notice stating that it would dismiss Ms. Frier as a defendant twenty-one days from the date of the notice pursuant to E.D. Wis. Civil L. R. 41(a) for failure to effectuate service of process within the time required by Fed. R. Civ. P. 4(m). *See* Notice, ECF No. 17. More than twenty-one days have passed since the Court issued its Notice, and Ms. Medley still has not

filed proof of service with respect to Ms. Frier. Nor is there any evidence that Ms. Frier has waived service under Fed. R. Civ. P. 4(d).

Because not all parties have had the opportunity to consent to magistrate judge jurisdiction, *see Coleman v. Labor & Indus. Review Comm'n*, No. 15-3254, 2017 U.S. App. LEXIS 10721, at \*1–2 (7th Cir. 2017), the matter will be referred to a district judge for review of my recommendation that Ms. Frier be dismissed as a defendant in this action.

**NOW, THEREFORE, IT IS HEREBY RECOMMENDED** that Sharonne Y. Frier be **DISMISSED** as a defendant in this action.

Your attention is directed to 28 U.S.C. § 636(b)(1)(B) and (C), Fed. R. Civ. P. 72(b)(2), and E.D. Wis. Gen. L. R. 72(c), whereby written objections to any recommendation herein, or part thereof, may be filed within fourteen days of service of this Recommendation. Objections are to be filed in accordance with the Eastern District of Wisconsin's electronic case filing procedures. Failure to file a timely objection with the district judge shall result in a waiver of your right to appeal. If no response or reply will be filed, please notify the Court in writing.

Dated at Milwaukee, Wisconsin, this 1st day of August, 2017.

**BY THE COURT:**

s/ David E. Jones  
DAVID E. JONES  
United States Magistrate Judge